

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

In Re:

Thomas Nelson, Jr. and Ranettia
Alexander-Nelson

ORDER

Debtors

Chapter 13, Case No. 10-33391

The above entitled matter came on for hearing upon motion of U.S. Bank, National Association, ("Movant") pursuant to 11 U.S.C. Section 362 on April 20, 2011 at the U.S. Bankruptcy Court, St. Paul, Minnesota. Movant appeared through and was represented by its attorney, Paul A. Weingarden, Esq. No appearance was made by or on behalf of the Chapter 13 Trustee. Based upon the evidence adduced at said hearing, the arguments of counsel, and the Court being fully advised of the premises,

IT IS ORDERED that:

The motion of Movant is denied on the following terms and conditions.

1. Debtors acknowledge that they are delinquent on their post-petition mortgage payments to Movant for the months of September 1, 2010 through April 1, 2011, together with late fees and agree to pay to Movant reasonable attorneys fees and costs of \$800.00, incurred in bringing this motion, for a total delinquency of \$13,323.85.

2. Debtors agree to pay to Movant, its successors or assigns, the sum of \$5,000.00 by certified check or money order on or before April 22, 2011, and the April 2011 payment in the amount of \$1,539.55 by May 6, 2011.

3. The remaining balance of \$6,784.30 shall be paid by certified check or money order by Debtors as follows: Fifteen equal payments of \$452.32 beginning May 20, 2011 through July 20, 2012.

4. Debtors shall pay the May 2011 payment in the amount of \$1,539.55 by May 20, 2011, and pay their regular monthly post-petition mortgage payment to Movant, its successors or assigns on the first day of the month, commencing June 1, 2011, and continuing each month thereafter.

5. In the event that Debtors fail to make any of the above payments as and when due, the attorney for Movant, its successors or assigns shall serve Notice, by first class mail, alleging the Debtors failure to pay said payment. Unless the Debtors cure the default within seven (7) days after service of said Notice, Movant shall be entitled to ex parte relief from the automatic stay.

If a default letter becomes necessary, Debtors will be charged \$75.00 to be paid together with the default payment and late charge. Debtors shall tender the total amount due in the form of a cashier's check or money order made payable to creditor and a separate check payable to Movant's law firm for the \$75.00 attorney fee.

Notwithstanding Federal Rules of Bankruptcy Procedure 4001(a)(3), this order is effective immediately.

Dated: April 21, 2011. _____

/e/ Dennis D. O'Brien

Honorable Dennis D. O'Brien

Judge of the Bankruptcy Court

NOTICE OF ELECTRONIC ENTRY AND FILING ORDER OR JUDGMENT Filed and Docket Entry made on 04/21/2011 Lori Vosejpka, Clerk, By DLR, Deputy Clerk
